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No. 18] NEW DELHI, SATURDAY, MAY 1, 1954

NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 24th April 1954 :—

Issue No.	No. and date	Issued by	Subject
94	S. R. O. 1262, dated the 17th April 1954.	Ministry of Commerce and Industry.	Amendments made in the Tea Rules, 1954 published in S. R. O. 1026, dated the 25th March 1954.
95	S. R. O. 1263, dated the 19th April 1954.	Ministry of Law.	Fixation of the hours during which the poll shall be taken in the Kanpur District (Central) Parliamentary constituency on the 25th April 1954.
	S. R. O. 1264, dated the 19th April 1954.	Ditto.	Fixation of the hours during which the poll shall be taken in the Bhandara Parliamentary Constituency on the 2nd and 7th May 1954.
96	S. R. O. 1364, 1365 and 1366, dated the 22nd April 1954.	Election Commission India.	Amendments made in the notifications No. 102/10/51-Elec. II(1), dated the 7th September, 1951, No. 62/10/51-Elec. II(1), dated the 7th September, 1951, and No. 62/10/51-Elec. II(3), dated the 9th November, 1951.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3

Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).

MINISTRY OF HOME AFFAIRS

ORDER

New Delhi, the 20th April 1954

S.R.O. 1374.—In exercise of the powers conferred by sub-section (2) of section 63 of the Andhra State Act, 1953 (30 of 1953), the President hereby requires all persons specified by name in column (1) or by official designation in column (2) of the Schedule to this Order, to serve in connection with the affairs of the State of Andhra, as allotted officers.

SCHEDULE

Name (1)	Official designation (2)
<i>Madras Registration Department</i>	
1. Sri D. Rama Rao	Sub Registrar, Jaggampet, East Godavari District.
2. Sri K. S. Varadaraja Ayyangar	Sub Registrar, Mudinapalle, Krishna District.
3. Sri S. Subbarao	Sub Registrar, Chivel, Cuddapah District.
4. Sri P. V. Subbaiah Naidu	Sub Registrar, Inukurupet, Nellore District.
5. Sri M. Sathiraju	Sub Registrar, Draksharama, East Godavari District.
6. Sri V. A. Ramarao	Sub Registrar, Pyapalli, Kurnool District.
7. Sri Ch. V. Narasimhasao	Sub Registrar, Puttur, Chittoor District (in trans ⁿ).
<i>Madras Highways Department</i>	
Sri G. M. A. Vijay Krishnam	Junior Engineer (Highways).
Sri K. P. Srinivasan	Junior Engineer (Highways).
<i>Madras Public Works Department</i>	
Sri H. Gopal Rao	Supervisor.
<i>Madras Medical Department</i>	
Dr. G. Rama Rao	Temporary Assistant Surgeon.

[No. 26/4/53-AIS(I).]

N. N. CHATTERJEE, Dy. Secy.

MINISTRY OF STATES

New Delhi, the 22nd April 1954

S.R.O. 1375.—In pursuance of clause (1) of article 239 of the Constitution, the President hereby directs that the following amendment shall be made in the notification of the Government of India in the Ministry of States No. 248-J, dated the 24th October, 1951, namely:—

In the entry in column 2, the words and figure “sub-section (2) of” shall be omitted.

[No. 44-J.]

J. C. GHOSAL, Under Secy.

MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 23rd April 1954

S.R.O. 1376.—In exercise of the powers conferred by sub-section (2) of section 6 of the Bengal Finance (Sales Tax) Act 1941 (Bengal Act VI of 1941), as extended to the State of Delhi, the Central Government hereby gives three months' notice of its intention to add with effect from 1st January 1954 the following to the list of exempted goods specified in the Schedule attached to the said Act, namely:—

“42. ‘Oil Seeds’.

[No. F. 5(1)-P/54.]

C. S. KRISHNA MOORTHI, Dy. Secy.

(Department of Economic Affairs)

New Delhi, the 23rd April, 1954

S.R.O. 1377.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (X of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of clause (i) of section 12 of the said Act shall not apply up to the 31st March, 1955, to the Anthraper Bank Ltd., ShcrtaLLay.

[No. 4(74)-F.I/54.]

New Delhi, the 27th April, 1954

S.R.O. 1378.—The following draft of certain amendments to the Banking Companies Rules, 1949 which it is proposed to make, in exercise of the powers conferred by sub-sections (1), (2) and (4) of section 52 of the Banking Companies Act, 1949 (X of 1949), after consultation with the Reserve Bank of India, is published as required by sub-section (3) of the said section for the information of persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after 1st November, 1954.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified and copy thereof endorsed to the Department of Banking Operations, Central Office, Reserve Bank of India, Bombay shall be taken into consideration.

Draft Amendments

In the said Rules—

1. After Rule 15, the following rule shall be inserted, namely:—
“15A. The list of debtors under section 45D of the Act shall be in Form XIV or as near thereto as circumstances permit”.
2. After Form XIII a new Form XIV shall be added, namely:—

"BANKING COMPANIES ACT, 1949

FORM XIV* (See Rule 15A)

[Section 45 D (2)]

In the High Court of Judicature at Jurisdiction

No..... of 195.....

In the matter of the Indian Companies Act 1913,
 And in the matter of the Banking Companies Act, 1949
 And in the matter of a Banking Company

LIST OF DEBTORS OF ordered to be wound up on.....

Sl. No.	Name and address of debtor	If the original debtor is dead, give names and addresses of his legal representatives. (If the original debtor dies after this List is filed in Court but be- fore it is settled, substitute the names and addresses of his legal representatives).	If the original debtor is insol- vent, give the name and address of the assignee or receiver of his estate. (If the original debtor is adjudged insol- vent after this List is filed in Court and before it is settled, the name of such assignee or re- ceiver shall be added).	Amount of debt due	Rate of interest if any, and the date upto which such interest has been calcula- ted.	Description of debt due ings and docu- ments, if any, relating to the debt	Description of the bank- ing company holding the debt	Whether the banking company holds personal security or only or no sec- urity	Description of the security other than personal sec- urity; if so, give the nature and par- ticulars of the security includ- ing the estimat- ed value of the security	Particulars of guarantee whe- re debt is gua- ranteed includ- ing names and port of the gua- rantee, addresses of guarantor and debt is guar- anteed.	Description of reliefs claim- ed.	Remarks
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DATED THIS DAY OF 195.....

AT.....

*This List should be verified by means of an affidavit.

OFFICIAL LIQUIDATOR."

[No.F. 4(6)-F.1/54.]

N. C. SEN GUPTA, Dy. Secy.

MINISTRY OF FINANCE (REVENUE DIVISION)
CENTRAL EXCISE

New Delhi, the 28th April 1954

S.R.O. 1379.—In exercise of the powers conferred by sub-rule (1) of rule 8 of the Central Excise Rules, 1944, the Central Government hereby exempts power alcohol from the whole of the duty leviable thereon under section 3 of the Central Excises and Salt Act, 1944 (I of 1944), subject to the following conditions, namely :—

- (1) The Collector of Central Excise is satisfied that such power alcohol is intended for use in the manufacture of cellulose acetate, and not for providing motive power for any form of motor vehicle or aircraft, and
- (2) The procedure set out in Chapter X of the said Rule is followed in the matter of obtaining remission of the duty leviable on such power alcohol.

[No. 22.]

M. P. ALEXANDER, Under Secy.

CENTRAL BOARD OF REVENUE
INCOME-TAX

New Delhi, the 20th April, 1954

S.R.O. 1380.—In exercise of the powers conferred by sub-section (1) of Section 59 of the Indian Income Tax Act 1922 (XI of 1922), the Central Board of Revenue is pleased to direct that the following further amendments shall be made in the Indian Income Tax Rules, 1922, the same having been previously published as required by sub-section (4) of the said Section, namely:

In the schedule annexed to Rule 8

- (a) In the existing entry O(ix) under the head III Machinery and Plant in Column 1, after the words "container, etc." the words and brackets "(other than Racks)" shall be inserted;
- (b) Against the item, in column 3 the words "General rate prescribed for Furniture and fittings shall apply to Racks" shall be inserted.

[No. 27.]

G. L. POPHALA, Secy.

INCOME-TAX

New Delhi, the 24th April 1954

S.R.O. 1381.—In exercise of the powers conferred by sub-section (6) of Section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue directs that the following further amendments shall be made in its notification S.R.O. 1214 (No. 44-Income-tax), dated the 1st July 1952, namely:—

In the schedule to the said notification—

- (a) In column 4 against serial numbers 34 to 40, for the words and figures "Inspecting Assistant Commissioner, Range No. VII, Calcutta", the words and figures "Inspecting Assistant Commissioner of Income-tax, Range VIII, Calcutta" shall be substituted;
- (b) In column 6 against serial numbers 34 to 40, for the words "Commissioner of Income-tax, West Bengal, Calcutta", the words "Commissioner of Income-tax, Calcutta" shall be substituted;
- (c) In column 2 against serial number 70A, the words "Employees of" shall be deleted; and
- (d) In column 4 against entry (b) of item No. 78, for the words and figures "Inspecting Assistant Commissioner of Income-tax, Range VI, Calcutta", the words and figures "Inspecting Assistant Commissioner of Income-tax, Range VII, Calcutta" shall be substituted.

[No. 28.]

S.R.O. 1382.—In exercise of the powers conferred by sub-section (6) of Section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue directs that the following further amendments shall be made in its notification S. R. O. 1214 (No. 44-Income-tax) dated the 1st July, 1952; namely:—

In the Schedule to the said notification—

- (1) In column 4, against entry (a) of item No. 78, for the words "Inspecting Assistant Commissioner of Income-tax, Delhi" the words "Inspecting Assistant Commissioner of Income-tax, Range I, Delhi" shall be substituted; and

(2) Under item No. 78, the following entry shall be added; namely :—

	2	3	4	5	6
(s)	If the application is made to the Income-tax Officer, Foreign Section, Amritsar.	Income-tax Officer, Foreign Section, Amritsar.	Inspecting Assistant Commissioner of Income-tax, Amritsar Division, Amritsar.	Appellate Assistant Commissioner of Income-tax, Amritsar Range, Amritsar.	Commissioner of Income-tax, Punjab, Pepsu, Himachal Pradesh and Bilaspur, Simla.

[No. 29.]

K. B. DEB, Under Secy.

MINISTRY OF COMMERCE AND INDUSTRY

Bombay, the 15th April, 1954

S.R.O. 1383.—In exercise of the powers conferred on me by clause 22 of the Cotton Textiles (Control) Order, 1948, I hereby direct that the following further amendment shall be made in the Textile Commissioner's Notification No. T.C.(6)1/44, dated the 19th February 1944, namely:—

In the said notification, for sub-clause (c) of clause 7, the following sub-clause shall be substituted, namely:—

“(c) any cut piece of cloth not exceeding three yards in length.”

M. R. KAZIMI,
Joint Textile Commissioner.

New Delhi, the 24th April, 1954

S.R.O. 1384.—In exercise of the powers conferred by sub-clause (i) of clause 5 of the Cotton Textiles (Export Control) Order, 1949, the Central Government hereby directs that the following further amendments shall be made in the notification of the Government of India in the late Ministry of Commerce No. 67-CW(25A)/48, dated the 26th March, 1949, namely:—

In the said notification—

- (1) sub-paragraph (5) of paragraph 2 shall be deleted;
- (2) in paragraph 6, for item (j), the following item shall be substituted, namely:—

“(j) any cut piece of cloth not exceeding three yards in length.”

[No. 46(34)-CT(A)/52-19.]

S. A. TECKCHANDANI, Under Secy.

New Delhi, the 24th April, 1954

S.R.O. 1385.—In exercise of powers conferred by section 28 of the Forward Contracts (Regulation) Act, 1952 (LXXIV of 1952), the Central Government hereby makes the following rules, namely:—

1. *Short Title.*—These Rules may be called the Forward Markets Commission (Terms and Conditions of Service of Members), Rules, 1954.

2. *Definition.*—In these Rules, unless the context otherwise requires,—

- (a) “Act” means the Forward Contracts (Regulation) Act, 1952 (LXXIV of 1952);
- (b) “Commission” means the Forward Markets Commission established under the Act;
- (c) “Member” means a member of the Commission.

3. *Travelling and daily allowances.*—A member shall be entitled, when travelling on duty, to travelling and daily allowances at the rates prescribed for officers of the Central Government drawing similar salaries.

4. *Leave.*—(1) a member who at the date of his appointment was in the service of the Central Government may be granted leave by the Central Government under the rules applicable to him immediately before such appointment and his service as member shall count for the purpose of leave.

(2) A member who at the date of his appointment was not in the service of the Central Government may be granted leave by the Central Government as follows:—

- (a) earned leave at the rate of one fifteenth of the period spent on duty, on leave salary equivalent to full pay;
- (b) leave on medical certificate on leave salary equivalent to half pay, subject to a maximum of three months at any one time; and
- (c) extraordinary leave without allowances, subject to a maximum of three months at any one time.

Explanation.—All, or any two, of these kinds of leave may be granted in combination at any one time.

5. *Pension.*—No pension shall be attached to the office of members as such but in the case of a member who at the date of his appointment was in pensionable service under the Central or a State Government service as member shall count for pension under the rules applicable to the service to which such member belonged and shall, unless the member be a member of the Indian Civil Service, also count for the higher additional pension under article 475-A of the Civil Service Regulations, if Government certifies that he would, if he had not been so appointed, have continued to officiate in or hold a post included in the schedule of appointments carrying additional pension A—Upper Grade thereunder.

6. In respect of any matter for which special provision is not made by these rules, the conditions of service of a person serving as a member of the Commission shall be governed by the rules and orders for the time being applicable to such class of Central Government servants as the Central Government may from time to time, specify in this behalf.

[No. 30/24/54-I.P.(B).]

S. BHoothalingam, Joint Secy.

New Delhi, the 24th April 1954

S.R.O. 1386.—In exercise of the powers conferred by sub-clause (a) of clause 2 of the Iron and Steel (Control of Production and Distribution) Order, 1941, the Central Government is pleased to direct that the following amendment shall be made in the notification of the Government of India in the late Ministry of Industry and Supply, No. I(1)-1(530)D, dated the 26th May, 1948, as amended from time to time, namely:—

To the Schedule annexed to the said Notification, the following entry shall be added, namely:—

“Deputy Assistant Iron and Steel Controllers in the Steel Import Division of the Iron and Steel Control, Calcutta.”

2. This Notification shall take effect from the 19th April, 1954.

[No. SC(A)-4(219)/54.]

New Delhi, the 26th April 1954

S.R.O. 1387.—In exercise of the powers conferred by sub-clause (b) of clause 2 of the Iron and Steel (Scrap Control) Order, 1943, the Central Government is pleased to direct that the following amendment shall be made in the Notification of the Government of India in the late Ministry of Industry and Supply, No. I(1)-4(78)B, dated the 6th January, 1951, as amended from time to time, namely:—

To the Schedule annexed to the said Notification, the following entry shall be added, namely:—

“Deputy Assistant Iron and Steel Controllers in the Steel Import Division of the Iron and Steel Control, Calcutta.”

2. This Notification shall take effect from the 19th April, 1954.

[No. SC(A)-4(219)/54-A.]

D. HEJMADI, Under Secy.

MINISTRY OF FOOD AND AGRICULTURE
(AGRICULTURE)

New Delhi, the 20th April, 1954

S.R.O. 1388.—In exercise of the powers conferred by clause 11 of the Sugar and Gur Control Order, 1950, the Central Government hereby directs that the following further amendments shall be made in the late Ministry of Agriculture Notification No. S.R.O. 792, dated the 19th October, 1950, namely:—

In "The Schedule" to the said notification under column "Designation of Officers",

For "District Food & Civil Supplies Controller, Simla,"

Substitute "Food Supply Officers, Simla, Hoshiarpur and Kangra".

[No. SV-105(3)/51-III.]

S.R.O. 1389.—In exercise of the powers conferred by clause 11 of the Sugar and Gur Control Order, 1950, the Central Government hereby directs that the following further amendment shall be made in the late Ministry of Agriculture Notification No. S.R.O. 792-A, dated the 19th October, 1950, namely:—

In "The Schedule" to the said notification against item "7-Punjab" under column (2)—"Designation of Authority".

For "(iv) District Food and Civil Supplies Controller, Simla".

Substitute "Food Supply Officers, Simla, Hoshiarpur and Kangra".

[No. SV-105(3)/51-III.]

I. P. MATHUR, Under Secy.

New Delhi, the 20th April, 1954

S.R.O. 1390.—In exercise of the powers conferred by clause 11 of the Sugar and Gur Control Order, 1950, the Central Government hereby directs that the powers conferred on it under clause 7 (ii) of the said Order shall be exercisable by the Deputy Director (Sugar) and the Assistant Vegetable Oil Products Controller in the office of the Vegetable Oil Products Controller for India.

[No. SV-105(3)/51-52-III.]

P. A. GOPALAKRISHNAN, Joint Secy.

(AGRICULTURE)

New Delhi, the 21st April, 1954

S.R.O. 1391.—The Governments of Hyderabad and Madhya Bharat have respectively nominated Shri Eqbal Chand, Director of Agriculture, Hyderabad, and Shri M. G. Karnikar, Director of Agriculture & Agricultural Production Commissioner, Madhya Bharat, Gwalior, to be the members of the Indian Central Cotton Committee under Section 4 (ix) of the Indian Cotton Cess Act, 1923 (No. XIV of 1923) with effect from the 1st April, 1954.

[No. F. 1-12/54-Com.II.]

F. C. GERA, Under Secy.

(AGRICULTURE)

New Delhi, the 22nd April, 1954.

S.R.O. 1392.—In exercise of the powers conferred by section 6 of the Agricultural Produce (Grading and Marking) Act, 1937 (I of 1937), the Central Government hereby declares that the provisions of the said Act shall apply to the following articles of agricultural produce, namely:—

1. Cashewnut.
2. Cardamom.
3. Pepper.
4. Ginger.

[No. F. 25-1/54-Dte. II.]

K. C. CHETTY, Under Secy.

MINISTRY OF IRRIGATION AND POWER

CORRIGENDUM

New Delhi, the 21st April 1954

S.R.O. 1393.—In the order of the Government of India in the Ministry of Irrigation and Power No. S.R.O. 1890, dated the 1st October, 1953, printed at page 1598, Section 3, Part II of the *Gazette of India*, dated the 10th October, 1953, for “sub-section (2) of section 55” read “section 55”.

[No. EL-II-12(19).]

K. L. SAXENA, Under Secy.

ORDER

New Delhi, the 23rd April, 1954

S.R.O. 1394.—In exercise of the powers conferred by sub-section (3) of section 35 of the Indian Electricity Act, 1910 (IX of 1910), the Central Government hereby directs that the following further amendments shall be made in the order of the Government of India in the Ministry of Irrigation and Power, No. EL-II-213(4)/I, dated the 17th September, 1953, namely:—

In the said order—

(a) at the end of paragraph (ii), for the words and figures “and shall recommend within six months to the Government of India their proposals to amend the Indian Electricity Act, 1910”, the words and figures “and shall recommend by the end of June, 1954 to the Government of India their proposals to amend the Indian Electricity Act, 1910” shall be substituted; and (b) for paragraph (iv), the following paragraph shall be substituted, namely:—

“(iv) *Tenure of office.*—The members of the Board shall hold offices for a period upto and including the 30th June, 1954”.

[No. EL-II-213(4)1.]

H. C. GUPTA, Joint Secy.

MINISTRY OF TRANSPORT

(Transport Wing)

MERCHANT SHIPPING

New Delhi, the 21st April, 1954

S.R.O. 1395.—The following draft of an amendment in the Indian Merchant Shipping (Pilot Ladders) Rules, 1953, which it is proposed to make in exercise of the powers conferred by sub-section (1) of section 216A of the Indian Merchant Shipping Act, 1923 (XXI of 1923), read with clause (o) of sub-section (1A) of that section, is published for the information of persons likely to be affected thereby, and notice is hereby given that the draft will be taken into consideration on or after the 10th May, 1954.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

Draft Amendment

In sub-rule (i) of rule 2 of the said Rules, after the figures and word “200 tons” the words and brackets “(net tonnage)” shall be inserted.

[No. 51-MA(2)/53.]

S. K. GHOSH, Deputy Secy.

PORTS

New Delhi, the 24th April 1954

S.R.O. 1396.—In pursuance of sub-section (3) of section 6 of the Bombay Port Trust Act, 1879 (Bombay Act VI of 1879), the Central Government hereby publishes the following return received from the Secretary, Bombay Chamber of Commerce, namely:—

Return showing the name of the gentleman elected by the Bombay Chamber of Commerce, in accordance with the provisions of section 13(1) of the Bombay Port Trust Act, 1879 to be a member of the Board of Trustees of the Port of Bombay in the vacancy caused by the resignation of Shri M. Paspatti.

Date of election	Name of the gentleman elected	Panel of commercial interests represented
15th April 1954.	Shri R. H. Schuepp, Messrs. Voikart Bros., Bombay.	Cotton and general trade.

[No. 8-PI(78)/54]
K. NARAYANAN, Under Secy.

MINISTRY OF REHABILITATION

New Delhi, the 5th April, 1954

S.R.O. 1397.—In pursuance of the provisions of clause (d) of sub-section (1) of section 18 of the Displaced Persons (Debts Adjustment) Act, 1951 (LXX of 1951), the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the Ministry of Rehabilitation No. 54(17)/52-Prop., dated the 13th February, 1953, namely:—

In the said notification after condition (2) the following condition shall be inserted, namely—

“(3) that the dispute shall be referred to Arbitration before taking the matter to a court of law.”

[No. 54(17)/52-Prop.]

P. G. ZACHARIAH, Deputy Secy.

New Delhi, the 22nd April, 1954

S.R.O. 1398.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Displaced Persons (Claims) Supplementary Act, 1954, the Central Government is pleased to appoint the following Settlement Officers to act as Additional Settlement Commissioners for the purpose of performing the functions assigned to them by or under the said Act:—

1. Shri Puran Chand.
2. Shri Raj Lal.

[No. 14(1)-SB.II/54.]

M. L. PURI, Under Secy.

New Delhi, the 22nd April, 1954

S.R.O. 1399.—In exercise of the powers conferred by section 12 of the Displaced Persons (Claims), Supplementary Act, 1954 (12 of 1954), the Central Government hereby directs that the following amendment shall be made in the Displaced Persons (Verification of Claims) Supplementary Rules, 1954, namely:—

For sub-rule (3) of rule 24 of the said Rules, the following sub-rule shall be substituted namely:—

“(3) The following fee shall be levied, where applications for copies of orders passed under these rules or under the Displaced Persons (Verification of Claims) Rules, 1950, are made in the office of the Chief Settlement Commissioner, that is to say—

- (a) one rupee for every copy of order supplied;
- (b) one rupee on account of a searching fee, in addition to the fee prescribed in clause (a), if no index number or registration number of the order of which a copy is required is furnished in the application for a copy.”

[No. 23(2)SB/54.]

M. K. NARAYANAN, Deputy Secy.

MINISTRY OF NATURAL RESOURCES AND SCIENTIFIC RESEARCH

New Delhi, the 24th April 1954

S.R.O. 1400.—In exercise of the powers conferred by section 5 of the Mines and Minerals (Regulation and Development) Act, 1948 (LIII of 1948), the Central Government hereby directs that the following further amendments shall be made in the Mineral Concession Rules, 1949, namely:—

In the said Rules—

(1) in rule 17A, in the proviso—

(a) for the words “the State Government” occurring for the first time, the words “the State Government or any officer or authority of the State Government authorised by it in this behalf”, shall be substituted;

(b) for the words “the State Government” occurring for the second time, the words “that Government or as the case may be, that officer or authority”, shall be substituted.

(2) in rule 28A, in the proviso—

(a) for the words “the State Government” occurring for the second time, the words “the State Government or any officer or authority of the State Government authorised by it in this behalf”, shall be substituted;

(b) for the words “the State Government” occurring for the words “that Government or as the case may be, that officer or authority,” shall be substituted.

[No. MII-152(15)/54.]

T. GONSALVES, Dy. Secy.

REGISTRAR JOINT STOCK COMPANIES

Sambalpur, the 19th April, 1954

In the matter of the Indian Companies Act, 1913 (VII of 1913) and the Orissa Industrial Development Company Limited.

S.R.O. 1401.—Notices pursuant to Section 247 (1) and (3) of the Indian Companies Act, 1913, having been given to the above Company to its registered office at Aska in the district of Ganjam and whereas from the reply received from the Company to the first notice issued under section 247(1) of the said Act and whereas the notice issued under section 247(3) of the said Act having been received back undelivered, it appears that the said Company is neither carrying on business nor is it in operation, the Orissa Industrial Development Company Limited is struck off under Section 247(5) of the said Act under orders of the Registrar of Joint Stock Companies, Orissa, dated the 3rd day of April, 1954.

[No. 416 JSC. 139/54.]

In the matter of the Indian Companies Act, 1913 (VII of 1913) and the Orissa Traders Syndicate Limited.

S.R.O. 1402.—Notices pursuant to Section 247 (1), (2) and (3) of the Indian Companies Act, 1913, having been given to the above Company to its registered office at P. O. Chauliaganj, District Cuttack, and having been received back undelivered, it appears that it is neither carrying on business nor is it in operation. The Orissa Traders Syndicate Limited is struck off under section 247 (5) of the said Act under orders of the Registrar of Joint Stock Companies, Orissa, dated the third day of April, 1954.

[No. 422 JSC.138/54.]

Sambalpur, the 21st April, 1954

In the matter of the Indian Companies Act, 1913 and in the matter of the Oriental Veterinary Pharmacy Ltd.

S.R.O. 1403.—Whereas a notice pursuant to section 247(1) of the Indian Companies Act, 1913, addressed to above named Company to its registered Office, Balangir having remained unanswered it appears that the Company is neither carrying on business nor is in operation.

Notice is hereby given pursuant to section 247(2) of the Indian Companies Act, 1913 that at the expiry of one month from the date of receipt of this notice the name of the Company will be struck off the Register and the Company shall be dissolved unless cause is shown to the contrary.

[No. 434/JSC.58/54.]

Sambalpur, the 24th April 1954

NOTICE PURSUANT TO SECTION 24(3) OF THE INDIAN COMPANIES ACT, 1913.
The Director, Sunrise Chemical and Pharmaceutical Works Limited, Town Hall Road, Sunil Manik Ghose Bazar, Cuttack.

In the matter of the Indian Companies Act, 1913 and in the matter of the Sunrise Chemical and Pharmaceutical Works Limited.

S.R.O. 1404.—Whereas notices under Sections 247 (1) and (2) of the Indian Companies Act, 1913, addressed to the above named Company to its registered office at Townhall Road, Sunil Manik Ghose Bazar, Cuttack, have remained unanswered, it appears that the Company is neither carrying on business nor is in operation.

Notice is hereby given pursuant to Section 247(3) of the Indian Companies Act, 1913, that at the expiration of three months from the date of issue of this notice the name of this Company will be struck off the Register and the Company will be dissolved, unless cause is shown to the contrary.

[No. 463/JSC-127-54.]

The Arnab Enterprise Limited, Managing Agents of Utkal Chemical Industries Limited, Chandnichawk, Cuttack.

In the matter of the Indian Companies Act, 1913, and in the matter of the Utkal Chemical Industries Limited.

S.R.O. 1405.—Whereas notices pursuant to Sections 247(1) and (2) of the Indian Companies Act, 1913, sent to its registered office at Chandnichawk, Cuttack-2 have been received back undelivered, it appears that the Company is neither carrying on business nor is in operation.

Notice is hereby given pursuant to Section 247(3) of the Indian Companies Act, 1913, that at the expiration of three months from the date of receipt of this notice the name of the Company will be struck off the Register and the Company will be dissolved unless cause is shown to the contrary.

[No. 466/JSC-39-54.]

S. N. MISRA,
Assistant Registrar of Joint Stock Companies,
Orissa, Sambalpur.

Lucknow, the 17th April 1954

S.R.O. 1406.—Whereas "J. S. Thakkar & Co. Ltd." a company registered under the Indian Companies Act, VII of 1913, with its registered office at 105/607, Deputyka-Parao, Kanpur appears to have been closed and whereas the undersigned has reasonable cause to believe that the company is not carrying on any business or is in operation, notice is hereby given in accordance with the provisions of section 247(3) of Act VII of 1913, that at the expiration of 3 months from the date hereof the name of the company will, unless cause is shown to the contrary, be struck off the registers of companies and the company will be dissolved.

Lucknow, the 21st April 1954

S.R.O. 1407.—Whereas the Rohilkhand Paper Mills Ltd., a company registered under the Indian Companies Act, VII of 1913, with its registered office at Nainital Road, Bareilly appears to have been closed and whereas the undersigned has reasonable cause to believe that the company is not carrying on any business or is in operation, notice is hereby given in accordance with the provisions of section 247(3) of Act VII of 1913, that at the expiration of 3 months from the date hereof the name of the company will, unless cause is shown to the contrary, be struck off the registers of companies and the company will be dissolved.

Lucknow, the 23rd April 1954

S.R.O. 1408.—Whereas Lhaksar Farms Limited, a company registered under the Indian Companies Act, VII of 1913, with its registered office at Lhaksar (Saharanpur) appears to have been closed and whereas the undersigned has reasonable cause to believe that the company is not carrying on any business or is in operation, notice is hereby given in accordance with the provisions of section 247(3) of Act, VII of 1913, that at the expiration of 3 months from the date hereof the name of the company will, unless cause is shown to the contrary, be struck off the registers of companies and the company will be dissolved.

S. B. BANERJI, Registrar,
Joint Stock Companies, U.P., Lucknow.

Bombay, the 21st April, 1954

In the matter of the Indian Companies Act, VII of 1913 and of the M/S. The Electric Agencies Limited.

S.R.O. 1409.—Notice is hereby given pursuant to Section 247 of the Indian Companies Act VII of 1913, that at the expiration of three months from the date hereof the name of the M/S. The Electric Agencies Limited will, unless cause is shown to the contrary, be struck off the Register and the said Company will be dissolved.

[No. 1706.]

In the matter of the Indian Companies Act VII of 1913 and of the M/s. Shirala Peta Motor Union Limited.

S.R.O. 1410.—Notice is hereby given pursuant to sub-section (5) of the Section 247 of the Indian Companies Act VII of 1913 that the name of the M/s. Shirala Peta Motor Union Limited has this day been struck off the Register and the said Company is hereby dissolved.

[No. 4064.]

Bombay, the 22nd April 1954

In the matter of the Indian Companies Act, VII of 1913 and of the Union Garage Limited.

S.R.O. 1411.—Notice is hereby given pursuant to Section 247 of the Indian Companies Act VII of 1913, that at the expiration of three months from the date hereof the name of the Union Garage Limited will, unless cause is shown to the contrary, be struck off the Register and the said Company will be dissolved.

[No. 6159.]

Bombay, the 24th April 1954

In the matter of the Indian Companies Act VII of 1913 and of the Surendra Paschovita (India) Limited.

S.R.O. 1412.—Notice is hereby given pursuant to sub-section (5) of the Section 247 of the Indian Companies Act VII of 1913 that the name of the Surendra Paschovita (India) Limited has this day been struck off the Register and the said Company is hereby dissolved.

[No. 8867.]

In the matter of the Indian Companies Act VII of 1913 and of the Mansukhlal Kapadia & Co. Limited.

S.R.O. 1413.—Notice is hereby given pursuant to sub-section (5) of the Section 247 of the Indian Companies Act VII of 1913 that the name of Mansukhlal Kapadia & Co., Limited has this day been struck off the Register and the said Company is hereby dissolved.

[No. 8572.]

In the matter of the Indian Companies Act VII of 1913 and of the Star Casting Corporation Limited.

S.R.O. 1414.—Notice is hereby given pursuant to sub-section (5) of the Section 247 of the Indian Companies Act VII of 1913 that the name of the Star Casting Corporation Limited has this day been struck off the Register and the said Company is hereby dissolved.

[No. 5994.]

In the matter of the Indian Companies Act VII of 1913 and of the G. V. Sanmukh & Sons Limited.

S.R.O. 1415.—Notice is hereby given pursuant to sub-section (5) of the Section 247 of the Indian Companies Act VII of 1913 that the name of the G. V. Sanmukh & Sons Limited has this day been struck off the Register and the said Company is hereby dissolved.

[No. 6651.]

In the matter of the Indian Companies Act, VII of 1913 and of the Lima Brothers Limited.

S.R.O. 1416.—Notice is hereby given pursuant to Section 247 of the Indian Companies Act VII of 1913, that at the expiration of three months from the date hereof the name of the Lima Brothers Limited will, unless cause is shown to the contrary, be struck off the Register and the said Company will be dissolved.

[No. 4571.]

In the matter of the Indian Companies Act VII of 1913 and of the Parle Pharmaceuticals Limited.

S.R.O. 1417.—Notice is hereby given pursuant to sub-section (5) of the Section 247 of the Indian Companies Act VII of 1913 that the name of the Parle Pharmaceuticals Limited has this day been struck off the Register and the said Company is hereby dissolved.

[No. 5481.]

In the matter of the Indian Companies Act VII of 1913 and of the Swastik Processors Limited.

S.R.O. 1418.—Notice is hereby given pursuant to sub-section (5) of the Section 247 of the Indian Companies Act VII of 1913 that the name of the Swastik Processors Limited has this day been struck off the Register and the said Company is hereby dissolved.

[No. 8584.]

In the matter of the Indian Companies Act VII of 1913 and of the Shri Ambica Agriculture, Limited

S.R.O. 1419.—Notice is hereby given pursuant to sub-section (5) of the Section 247 of the Indian Companies Act VII of 1913 that the name of the Shri Ambica Agriculture Limited has this day been struck off the Register and the said Company is hereby dissolved.

[No. 8552.]

Bombay, the 26th April 1954

In the matter of the Indian Companies Act, VII of 1913 and of the Kolhapur Radhanagari Malvan via Dajipur Motor Union Limited.

S.R.O. 1420.—Notice is hereby given pursuant to Section 247 of the Indian Companies Act VII of 1913, that at the expiration of three months from the date hereof the name of the Kolhapur Radhanagari Malvan via Dajipur Motor Union Limited will, unless cause is shown to the contrary, be struck off the Register and the said Company will be dissolved.

[No. 7203.]

In the matter of the Indian Companies Act VII of 1913 and of the Gune & Company Limited.

S.R.O. 1421.—Notice is hereby given pursuant to sub-section (5) of Section 247 of the Indian Companies Act VII of 1913 that the name of the Gune & Company Limited, has this day been struck off the Register and the said Company is hereby dissolved.

[No. 4469.]

M. V. VARERKAR,
Registrar of Companies, Bombay.

Delhi, the 24th April 1954

(NOTICE UNDER SECTION 247(3) OF THE INDIAN COMPANIES ACT VII OF 1913)

In the matter of Delhi Yarn Exchange Limited.

S.R.O. 1422.—Whereas there is reasonable cause to believe that the company named Messrs. Delhi Yarn Exchange Limited is not carrying on business nor is in operation it is hereby notified that at the expiration of three months from the date hereof, the name of the company will, unless cause is shown to the contrary, be struck off the Register and the company will be dissolved.

[No. C/2022/J.S.C.]

(NOTICE UNDER SECTION 247(3) OF THE INDIAN COMPANIES ACT VII OF 1913)

In the matter of Messrs. The Premier Pictures of India Limited, Delhi

S.R.O. 1423.—Whereas there is reasonable cause to believe that the company named Messrs The Premier Pictures of India Limited, Delhi is not carrying on business nor is in operation it is hereby notified that at the expiration of three months from the date hereof, the name of the company will, unless cause is shown to the contrary, be struck off the Register and the company will be dissolved.

[No. C/1190/J.S.C.]

(NOTICE UNDER SECTION 247(3) OF THE INDIAN COMPANIES ACT VII OF 1913)

In the matter of Messrs. Pilkhuwa Industries Limited

S.R.O. 1424.—Whereas there is reasonable cause to believe that the company named Messrs. Pilkhuwa Industries Limited is not carrying on business nor is in operation it is hereby notified that at the expiration of three months from the date hereof, the name of the company will, unless cause is shown to the contrary, be struck off the Register and the company will be dissolved.

[No. C/1360/J.S.C.]

(NOTICE UNDER SECTION 247(3) OF THE INDIAN COMPANIES ACT VII OF 1913)

In the matter of Messrs. Bharat Development Corporation Limited

S.R.O. 1425.—Whereas there is reasonable cause to believe that the company named Messrs. Bharat Development Corporation Limited is not carrying on business nor is in operation it is hereby notified that at the expiration of three months from the date hereof, the name of the company will, unless cause is shown to the contrary, be struck off the Register and the company will be dissolved.

[No. C/884/J.S.C.]

(NOTICE UNDER SECTION 247(3) OF THE INDIAN COMPANIES ACT VII OF 1913)

In the matter of Messrs. Doon Garage (Workshop) Limited

S.R.O. 1426.—Whereas there is reasonable cause to believe that the company named Messrs. Doon Garage (Workshop) Limited is not carrying on business nor is in operation it is hereby notified that at the expiration of three months from the date hereof, the name of the company will, unless cause is shown to the contrary, be struck off the Register and the company will be dissolved.

[No. C/1211/J.S.C.]

(NOTICE UNDER SECTION 247(3) OF THE INDIAN COMPANIES ACT VII OF 1913)

In the matter of Model Collective Farms Limited

S.R.O. 1427.—Whereas there is reasonable cause to believe that the company named Messrs. Model Collective Farms Limited is not carrying on business nor is in operation it is hereby notified that at the expiration of three months from the date hereof, the name of the company will, unless cause is shown to the contrary, be struck off the Register and the company will be dissolved.

[No. C/1557/J.S.C.]

(NOTICE UNDER SECTION 247(3) OF THE INDIAN COMPANIES ACT VII OF 1913)

In the matter of Messrs. Precision Machinery Limited

S.R.O. 1428.—Whereas there is reasonable cause to believe that the company named Messrs. Precision Machinery Limited is not carrying on business nor is in operation it is hereby notified that at the expiration of three months from the date hereof, the name of the company will, unless cause is shown to the contrary, be struck off the Register and the company will be dissolved.

[No. C/1448/J.S.C.]

(NOTICE UNDER SECTION 247(3) OF THE INDIAN COMPANIES ACT VII OF 1913)

In the matter of Messrs. Cashmere Films Limited

S.R.O. 1429.—Whereas there is reasonable cause to believe that the company named Messrs. Cashmere Films Limited is not carrying on business nor is in operation it is hereby notified that at the expiration of three months from the date hereof, the name of the company will, unless cause is shown to the contrary, be struck off the Register and the company will be dissolved.

[No. C/1950/J.S.C.]

(NOTICE UNDER SECTION 247(3) OF THE INDIAN COMPANIES ACT VII OF 1913)

In the matter of Messrs. Azad Hind Theatres Limited

S.R.O. 1430.—Whereas there is reasonable cause to believe that the company named Messrs. Azad Hind Theatres Limited is not carrying on business nor is in operation it is hereby notified that at the expiration of three months from the date hereof, the name of the company will, unless cause is shown to the contrary, be struck off the Register and the company will be dissolved.

[No. C/1107/J.S.C.]

(NOTICE UNDER SECTION 247(3) OF THE INDIAN COMPANIES ACT VII OF 1913)

In the matter of Messrs. Prem Raj Brothers Limited

S.R.O. 1431.—Whereas there is reasonable cause to believe that the company named Messrs. Prem Raj Brothers Limited is not carrying on business nor is in operation it is hereby notified that at the expiration of three months from the date hereof, the name of the company will, unless cause is shown to the contrary, be struck off the Register and the company will be dissolved.

[No. C/1272/J.S.C.]

(NOTICE UNDER SECTION 247(3) OF THE INDIAN COMPANIES ACT VII OF 1913)

In the matter of Messrs. Sakoy Industries Limited

S.R.O. 1432.—Whereas there is reasonable cause to believe that the company named Messrs. Sakoy Industries Limited is not carrying on business nor is in operation it is hereby notified that at the expiration of three months from the date hereof, the name of the company will, unless cause is shown to the contrary, be struck off the Register and the company will be dissolved.

[No. C/1109/J.S.C.]

(NOTICE UNDER SECTION 247(3) OF THE INDIAN COMPANIES ACT VII OF 1913)

In the matter of Messrs. Happy Housing Society Limited

S.R.O. 1433.—Whereas there is reasonable cause to believe that the company named Messrs. Happy Housing Society Limited is not carrying on business nor is in operation it is hereby notified that at the expiration of three months from the date hereof, the name of the company will, unless cause is shown to the contrary, be struck off the Register and the company will be dissolved.

[No. C/1828/J.S.C.]

[NOTICE UNDER SECTION 247(3) OF THE INDIAN COMPANIES ACT VII OF 1913]

In the matter of Messrs. Marino Traders Limited, Delhi

S.R.O. 1434.—Whereas there is reasonable cause to believe that the company named Messrs. Marino Traders Limited is not carrying on business nor is in operation. It is hereby notified that at the expiration of three months from the date hereof, the name of the company will, unless cause is shown to the contrary, be struck off the Register and the company will be dissolved.

[No. C/398/J.S.C.]

B. R. SETH, Registrar,
Joint Stock Companies, Delhi.

MINISTRY OF LABOUR

New Delhi, the 21st April 1954

S.R.O. 1435.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the matter of an application under section 33A of the said Act from Shri Chota Tetar Das and Shri Meghu Bhulya, workmen of the Bhowra Colliery.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD.

APPLICATION No. 106 of 1953.

(Arising out of Reference No. 6 of 1952)

In the matter of an application U/S 33A of Industrial Disputes Act 1947.

PRESENT:

Shri L. P. Dave, B.A. LL.B.,—Chairman.

PARTIES:

1. Chota Tetar Das,
2. Meghu Bhuiya.—Workmen of Bhowra Colliery, P. O. Bhowra, Dist. Manbhumi.—Complainants.

VS.

1. Eastern Coal Co. Ltd.,
2. Manager, Bhowra Colliery, P.O. Bhowra, Dist. Manbhumi.—Opposite party.

APPEARANCES:

Shri Lalit Burman, General Secretary, Loyabad Labour Union, P. O. Banskura, Dist. Manbhumi.—For the Complainants.

Shri S. K. Bhattacharya, Chief Welfare Officer, M/S. Macneill & Barry Ltd., P. O. Disergarh, Dt. Burdwan.—For the Opposite party.

(AWARD)

This is a complaint under Section 33A of Industrial Disputes Act.

2. The complainant alleged that they were dismissed by the opposite party on 21st May 1953 during the pendency of Reference No. 6 of 1952 without obtaining the permission of the Tribunal. They therefore filed the present complaint with a request that they should be reinstated with payment of wages etc. from the date of dismissal till reinstatement.

3. The opposite party opposed the application. They contended that the complainants assaulted a peon of the colliery while he was on duty at 10 A.M. on 18th April 1953. Charge sheets were issued against them. The management after holding an enquiry found that they were guilty of misconduct and thereupon they dismissed them. It was therefore urged that the complaint should be dismissed.

4. At the hearing before me, the parties produced a compromise, a copy of which is annexed herewith. Under the compromise, the complainants are to be given back their jobs from 29th March 1954. They in turn forego their claim for

wages, compensation etc. from the date of their dismissal till the date of re-employment. This period is however to be treated as on leave without pay, that is, there will not be any break in service. In my opinion, the compromise is fair and reasonable.

In the result, I pass an award in terms of the compromise.
The 27th March 1954.

(Sd.) L. P. DAVE, *Chairman,*
 Central Govt.'s Industrial Tribunal, Dhanbad.

BEFORE THE CHAIRMAN, CENTRAL GOVT. INDUSTRIAL TRIBUNAL
 DHANBAD.

APPLICATION No. 106 OF 1953.

Chota Teter Das, Meghu Bhuiya.—*Applicants.*

Vs.

1. Eastern Coal Co. Ltd.,
 2. Manager, Bhowra Colliery.—*Opposite parties.*

The joint petition of the above named parties most respectfully showeth:—

1. That the above application may please be disposed of on the basis of an amicable settlement arrived at between the parties as stated below:
 (a) The management will employ the above applicants with effect from the 29th March 1954, in their old job.
 (b) The period of their unemployment since the date of dismissal shall be treated as leave without pay.
 (c) The applicants forego any claim for wages, compensation etc. for the period from the date of dismissal till the 28th March 1954.

The parties pray that an award may kindly be passed in terms of the above settlement.

L. T. I. of MEGHU BHUIA,
 L. T. I. of CHOTA TETER DAS,

(Sd.) S. K. BHATTACHARYA,
 for the opposite party.

(Sd.) LALIT BURMAN,
 for the applicants.

(Sd.) ILLIGIBLE,
 Manager,
 Bhowra Colliery.

Filed,
The 26th March 1954.

(Sd.) L. P. DAVE, *Chairman,*
 Central Govt.'s Industrial Tribunal, Dhanbad.
 [No. LR.2(365).]

S.R.O. 1436.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Delhi, in the industrial dispute between the General Assurance Society Ltd. and their workmen.

BEFORE SHRI RAM KANWAR, INDUSTRIAL TRIBUNAL: DELHI.

ADJUDICATION

In the matter of an Industrial dispute
 BETWEEN

The employers in relation to General Assurance Society Ltd. and their workmen of New Delhi branch.

APPEARANCES:

Shri D. C. Gupta with Shri H. L. Anand.—*For the workmen.*
 Shri Saheb Ram with Shri Dhan Raj Malhotra.—*For the Society.*

AWARD

By their order No. LR. 90(148), dated the 27th November 1953, the Central Government referred to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the General Assurance Society Ltd. and their workmen in the New Delhi Branch of the Company. The terms of reference were:

- (1) Revision of scales of Pay.
- (2) Arrears of bonus for the years 1947 to 1952 to members of Life Department staff and for the years 1951 and 1952 to members of the General Department staff.
- (3) Annual increments for members of the General Department staff for the years 1950, 1951, 1952 and 1953.
- (4) Dearness allowance.

The parties have now compromised the dispute in the following terms:—

Revision of scales of pay.—That the salary grades now existing for the Indoor staff of the Life Department shall also apply to the Indoor staff of the General Department. In case of new appointment under Delhi Office, however, the minimum basic salary for an assistant will be Rs. 60 and for a peon Rs. 25 per mensem. The peons' salary grade under Delhi Branch will be Rs. 25-2-45 as from 1st January 1954.

That the basic salary of the following members of the Delhi Office will be revised as under with effect from 1st January 1954.

1. Mr. Saligram—Rs. 60 per month.
2. Mr. Ramadhar, peon—Rs. 25 per month.
3. Mr. Horam, peon—Rs. 25 per month.
4. Mr. Rampal Singh, peon—Rs. 25 per month.

They shall also be allowed to draw their Grade increments for 1954 with effect from due date falling after 1st January 1954.

Dharam Singh, Driver will be entitled to an increment of Rs. 5 per year with effect from 1st January 1954.

2. Arrears of Bonus.—In satisfaction of the various demands of the Union including Bonus demand for the years 1947 to 1953 following amount of Bonus is sanctioned for the assistants and peons of Delhi Office who were in service on 1st January 1951 as mentioned below and no other payment of any kind will be admissible under any head:—

General Deptt.

	Rs.
(1) Mr. D. C. Gupta	630
(2) Mr. Trilochan Singh	408
(3) Mr. Gurbux Singh	300
(4) Mr. Dharam Singh	225
(5) Mr. Bhopal Singh	90
(6) Mr. Horam	69

Life Deptt.

	Rs.
(1) Mr. Daulat Ram	600
(2) Mr. S. S. Joshi	600
(3) Mr. Sant Ram	510
(4) Mr. O. P. Gandhi	255
(5) Mr. Trilok Chand	252
(6) Mr. H. G. Narang	480
(7) Mr. Saligram	162
(8) Mr. Ram Adhar	66
(9) Mr. Rampal Singh	15

In future for the year 1954 and onwards the Bonus equivalent to one month's basic salary will be paid to those members of Indoor staff of Delhi Office who will have put in at least 12 months' continuous service as on 31st December provided the Society's expense ratio in both the departments for those years after inclusion of the said bonus remains within the maximum limit of expense ratio permissible for the Society under law, and further subject to the condition that the Insurance Act or any Rule or Order made thereunder does not ban payment of such Bonus. Further if the Head Office gets any special Bonus in any year the Delhi Office staff will also be paid special bonus for that year.

3. Arrears of Increments.—The following persons will get arrears of increments at the rate mentioned against each of them, with effect from 1st January 1953.

(1) Mr. D. C. Gupta	..	Rs. 10 p.m.
(2) Mr. Tarlochan Singh	..	Rs. 7 p.m.
(3) Mr. Bhopal Singh	..	Re. 1 p.m.
(4) Mr. Horam	..	Re. 1 p.m.

Sri Trilokchand who is not in the grade will be put in the Grade and he will be given special increment of Re. 1 as from 1st January 1954 besides annual increment due to him for the year 1953.

4. Dearness allowance.—The Dearness allowance for the assistants will with effect from 1st January 1954 be paid at the rate of Rs. 45/- per mensem. All allowances now paid will be merged in this D. A. and no other kind of allowances will be admissible.

The Dearness allowance for peons and drivers will be Rs. 35/- per mensem inclusive of all allowances, on 1st January 1954. No other kind of allowance shall be admissible.

That this agreement will not in any way affect the previous agreement entered into between the parties on 21st November 1953.

That the present settlement shall remain in force for a period of 2 years from date and until a due notice terminating the same is given by either party after the said period of 2 years. Any revision effected on All India basis in the above terms and conditions shall apply to Delhi Branch also from the effective date.

An award is, therefore, made in the terms of the compromise and the parties are directed to bear their own costs.

The 31st March 1954.

RAM KANWAR,
Industrial Tribunal, Delhi
[No. LR.90 (148).]

S.R.O. 1437.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Delhi, in the industrial dispute between the Bharat Fire and General Insurance Co., Ltd., New Delhi, and their workmen.

BEFORE SHRI RAM KANWAR, INDUSTRIAL TRIBUNAL: DELHI.

ADJUDICATION

In the matter of an Industrial Disputes

BETWEEN

The employers in relation to the Bharat Fire & General Insurance Co. Ltd., New Delhi, and their workmen.

APPEARANCES:

Shri Madan Mohan & Shri Y. Kumar.—*For the workmen.*

Shri Ram Kirti Saran & Shri Ram Kumar.—*For the company.*

AWARD

By their order No. LR. 90 (175), dated the 17th November 1953, the Government of India has referred to me for adjudication a dispute stating it to be an industrial dispute between the employers in relation to Bharat Fire & General Insurance

Co. Ltd., New Delhi and their workmen in respect of the matters specified in the schedule given below:—

(i) whether the termination of the services of Shri H. P. Mehbubani from the New Delhi Office of the Company was justified and, if not, whether he should be reinstated.

(ii) What relief, if any should be allowed to him.

After certain hearings in the case the parties came to a compromise on the following conditions:—

"That the parties in the above case have amicably settled the matter and the claims have fully been satisfied by payment of Rs. 640 as Gratuity and Rs. 150 as *ex-gratia* payment, the total being Rs. 790 (RUPEES SEVEN HUNDRED AND NINETY ONLY) in full and final settlement of all the claims, the claim as to re-instatement having been given up."

It was also prayed that the matter be dismissed leaving the parties to bear their own costs.

An award is, therefore, made in accordance with the above terms of the compromise. A cheque for Rs. 790 was made over to Shri Madan Mohan, Secretary, Bharat Fire Insurance Employees' Union, on behalf of Mr. Mehbubani in my presence. He has also placed a letter of authority on the record authorising him to receive payment on behalf of Mr. Mehbubani.

DELHI;

The 26th March, 1954.

RAM KANWAR,

Industrial Tribunal, Delhi.

New Delhi, the 23rd April, 1954

S.R.O. 1438.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the matter of an application under section 33A of the said Act from Shri Baldeo Singh and 34 others, workmen of Katras Choitodih Colliery.

BEFORE THE CENTRAL GOVERNMENT'S INDUSTRIAL TRIBUNAL AT DHANBAD

APPLICATION No. 405 OF 1953

(Arising out of Reference No. 6 of 1952)

In the matter of an application U/S. 33A of Industrial Disputes Act 1947
PRESENT:

Shri L. P. Dave, B.A.L.L.B., Chairman.

PARTIES:

Baldeo Singh and 34 other workmen of Katras Choitodih Colliery, P.O. Katrasgarh, District Manbhum, *Complainants*.

Vs.

M/S. Burrakur Coal Co., Ltd., Katras Choitodih Colliery, P.O. Katrasgarh, District, Manbhum, *Opposite Party*.

APPEARANCES:

Shri S. Das Gupta, Office Secretary, Bihar Colliery Mazdoor Sangh, Opposite Imperial Bank of India, Dhanbad—*For the Complainants*.

Shri D. N. Gupta, Chief Personnel Officer, M/S. Bird & Co., Ltd., P.O. Sijua, District Manbhum—*For the Opposite Party*.

AWARD

This is a complaint under Section 33A of Industrial Disputes Act.

2. It was filed by 35 workmen of the Katras Choitodih Colliery alleging that the conditions of their service were altered to their prejudice and they were punished by the management during the pendency of Reference No. 6 of 1952 without the permission of the Tribunal. They therefore urged that proper orders should be passed in the present case.

3. The Opposite Party filed a written statement opposing the complaint. They urged that they had to discharge the complainants as the workable coal in 13 seam where the complainants were working was exhausted and they were therefore not entitled to any relief.

4. At the hearing before me, the parties produced a compromise entered into by them. A copy thereof is annexed herewith. I have gone through the allegations of both parties and the documentary evidence produced in this case. I have also gone into the terms of compromise and I think that it is fair and reasonable.

5. It may be noted that the present complaint was filed by 35 workmen, while the compromise affects not only these 35 workmen but 12 other workmen also. As these 12 workmen are not parties to this complaint, no award can be passed in their favour. The compromise will remain an agreement between the parties concerned, so far as these workmen are concerned.

6. In the result, I pass an award in terms of the compromise so far as the present complainants are concerned.

(Sd.) L. P. DAVE, *Chairman,*
Central Government's Industrial Tribunal,
Dhanbad.

In the matter of Application No. 405 of 1953, U/s. 33A of the Industrial Disputes Act.

PARTIES:

Baldeo Singh and 46 other workmen of Katras Choitodih Colliery, P.O. Katrasgarh, District Manbhum, represented by Bihar Colliery Mazdoor Sangh, *Applicants.*

Versus.

Messrs. Burrakur Coal Co. Ltd., Katras Choitodih Colliery, P.O. Katrasgarh, District Manbhum, *Opposite Party.*

The parties above-named state that the above matter has been amicably settled between the parties on the following terms and conditions:

1. That the applicants Baldeo Singh, Register Clerk, Lotan Bhuiya, underground Trammer Sirdar, Lochan Shao, Under ground Trammar Sirdar and one more will be reinstated in the Katras Choitodih Colliery in similar posts from the date of this compromise without affecting their wages or any break in the continuity of their service.

2. That for the period for which the above applicants were rendered idle upto the date of their reinstatement, they will be entitled to lay-off compensation according to and at the rate prescribed by Section 25C of the Industrial Disputes (Amendment) Act, 1953.

3. That such of the applicants who were not offered any alternative employment will be entitled to lay-off compensation till the date of this compromise together with a month's wages in lieu of notice and retrenchment compensation.

4. That such of the applicants who were offered alternative employment by the Opposite Party and have accepted and are working at those posts will be entitled to the lay-off compensation as above for the period or periods they were rendered idle without any break in the continuity of their service.

5. That for such of the applicants as were offered alternative employment and accepted the same but are not working, the justification of their refusal to work will be enquired into by a joint committee consisting of one representative of each party and in case of difference of opinion between them by an impartial umpire nominated by both the parties whose decision will be final, and binding on the parties. Such of the applicants whose refusal will be found justified after enquiry will be entitled to lay-off compensation as above till the date of this compromise together with a month's wages in lieu of notice and retrenchment compensation.

6. That all such applicants who were offered alternative employment and accepted the same but are not working at present and whose refusal to work would be found unjustified after enquiry as above will be entitled to lay-off compensation upto the date of the offer of work.

7. That such of the applicants as were offered alternative employment but did not accept, the justification of such non-acceptance will be investigated by the committee as stated above and such amongst them whose refusal would be found

justified will be entitled to lay—off compensation upto the date of this compromise together with a month's wages in lieu of notice and retrenchment compensation whilst others will get lay—off compensation upto the date of the offer of alternative jobs to them.

8. That all such applicants that were offered employment but not alternative employment and have accepted the same will be entitled to lay—off compensation till the date of the offer of such permanent work. The above committee will also investigate and regularies the appointments of all the applicants according to seniority by offering their original posts or suitable alternative employment.

9. That all such applicants that were offered employment but not alternative employment and did not work will be entitled to lay—off compensation till the date of this compromise together with a month's wages in lieu of notice and retrenchment compensation.

10. That for such of the applicants as are alleged to be absent the above committee will enquire into the cause thereof and in the cases of such of them whose absence will be found justified they will be paid lay—off compensation upto the date of this compromise together with a month's wages in lieu of notice and retrenchment compensation whilst others will get lay—off compensation upto the date of their absence.

11. That by the term "Lay—off compensation", "Retrenchment compensation" and "Alternative employment" wherever used in this petition of compromise the parties mean and understand the same to be according to and at the rate prescribed in the Industrial Disputes (Amendment) Act, 1953. The "Retrenchment" will be deemed to be effected on the date of this compromise.

12. That in case of vacancies and/or any fresh appointment by the Opposite Party in any of their collieries, the applicants who are being retrenched will have first preference and they will be notified through the Union in writing giving them 15 days time to join the appointment. A copy of such notice also will be posted in the Colliery Notice Board. In case of more applicants than one for the same post, the question of seniority amongst them will be taken into consideration.

13. That the amount of lay—off compensation, wages for the one month's notice period and the retrenchment compensation will be paid by the Opposite Party within one month from the date of this compromise.

14. That this compromise is without prejudice to the contentions of the parties as stated or made in their petition of complaint of written statement, and will not be a precedent in any future dispute.

15. That the Opposite Party will withdraw the application that has been filed before the Hon'ble Labour Appellate Tribunal of India, Calcutta, for the retrenchment of the applicants.

It is, therefore, prayed that the matter may be disposed off in the above terms and an Award may be passed accordingly.

And for this your petitioners as in duty bound shall pray.

(Sd.) S. DAS GUPTA,
For and on behalf of the 35 Com-
plainants and 12 other workmen,

(Sd.) D. N. GUPTA,
For and on behalf of Burrakur Coal Co., Ltd.,
Katrals Choitodih Colliery, P.O. Katrasgarh
Manbhum.

Filed

(Sd.) L. P. DAVE, Chairman,
Central Govt's. Industrial Tribunal
Dhanbad.

S.R.O. 1439.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the matter of an application under section 33A of the said Act from Shri Krishna Govind and two others, workmen of Shri B. N. Marshal, Bombay Lighterage & Lending Contractors.

BEFORE SHRI S. H. NAIK, INDUSTRIAL TRIBUNAL, BOMBAY

COMPLAINT (IT-CG) No. 3 OF 1954

IN

REFERENCE (IT-CG) No. 3 OF 1952

Shri Krishna Govind and two others—Complainants.

Versus

Shri B. N. Marshal, Bombay Lighterage & Lending Contractors Bombay,
—Respondent.

In the matter of a complaint under Section 33-A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri B. N. Marshal in person.

No appearance for the complainants.

AWARD

The complainants were not present at the time when the complaint was called out for hearing. The Complaint is therefore dismissed for default.

(Sd.) K. R. WAZKAR, Secretary,
Bombay, the 29th March, 1954.

(Sd.) S. H. NAIK,
Industrial Tribunal.
[No. L.R.2(242).]

New Delhi, the 26th April 1954

S.R.O. 1440.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the mica mines in Bihar and their workmen.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD

REFERENCE NO. 11 OF 1953.

PRESENT:

Shri L. P. Dave, B.A. LL.B.—Chairman.

PARTIES:

Employers in relation to the 831 Mica Mines in Bihar

Vs.

Their workmen.

APPEARANCES:

Shri Yash Raj Singh, General Secretary, Mica Labour Union;

Shri Surya Narayan Sinha, Secretary, Mica Labour Union;

Shri Chandeshwar Azar, General Secretary, Abrakh Mazdoor Union.—For the workmen.

Shri C. M. Rajgarhia, President, Federation of Mica Association;

Shri R. G. Agarwala, General Secretary, Federation of Mica Association;

Shri M. K. Banerjea, Member, Federation of Mica Association.—For the Employers.

AWARD

The Government of India, Ministry of Labour, by its Order No. LR-2 (425) dated 3rd November 1953, has referred for adjudication to this Tribunal the dispute

between the employers in relation to 831 Mica Mines in Bihar specified in Schedule I annexed to the Order and their workmen regarding the following ten matters:—

- (1) Wages.
- (2) Scales of Pay.
- (3) Dearness Allowance.
- (4) Leave with pay.
- (5) Attendance Bonus.
- (6) Quarterly Bonus.
- (7) Retrenchment relief.
- (8) Medical facilities.
- (9) Housing and grant of house rent.
- (10) Free rations.

By subsequent Order of even number dated 27th February 1954, the names of certain mines (which had closed down) were deleted from the Schedule.

2. Notices were issued to the parties. The workmen represented by two recognised unions, namely the Mica Labour Union, and the Abarakh Mazdoor Union, filed their written statements on behalf of the workmen. The Federation of Mica Associations of Bihar filed a written statement on behalf of their members. It may be noted that the Federation represents a large majority of the employers who are parties to this dispute. A few employers sent their individual replies stating that they were not working the mines at present. No other employer has appeared or filed a written statement on merits.

3. Before proceeding further, I may mention that an application was sent to me by the President of the Bihar Mica Mazdoor Sangathan, requesting that his Association be given a chance to represent the workmen. He was asked to file a written statement and to serve a copy thereof on the employers. He was also informed that the question of his Union being entitled to represent the workmen would be considered at the time of hearing. The Union therefore filed a written statement which is almost on the same lines as the written statement of the other two unions. This union however did not serve a copy of the written statement on any of the employers, as directed. When the matter came up for hearing before me on 22nd March 1954, the Vice-President of this Union was present before me. The other parties objected to the appearance of this Union on the ground that it was not a registered one. The Vice-President conceded before me that his union was not a registered one. The matter could not be taken up on that day and was adjourned to 1st April 1954. On that day, no one has appeared on behalf of this Union.

4. At the hearing before me on 1st April 1954, the parties produced a compromise before me. It was signed by the President, the Honorary Secretary and one member of the Federation of Mica Associations of Bihar on behalf of the employers and by the Secretary and General Secretary of the Mica Labour Union and by the General Secretary of the Abarakh Mazdoor Union on behalf of the workmen. I have gone through the terms of this compromise and I am satisfied that it is fair and reasonable to both parties. I am making my award according to the terms of this compromise, but in view of the fact that it is not signed on behalf of all the employers who are parties to this reference and as some of the workers may not be members of the above two unions who have signed the compromise, I proceed to give my reasons in brief for making the award, which, as I said above, is according to the terms of the compromise.

5. (1) *Wages* and (2) *Scales of Pay*.—A reference regarding the Mica industry was made to this Tribunal by the Government of India in 1948 (Reference No. 2 of 1948). Mr. Jeejeebhoy, the then Chairman, gave his award and among other facts, be fixed wages for all categories of workers in this industry. No scales of pay were fixed. This award was to remain in force for one year. On the completion of one year, the parties entered into a compromise, under which the award was extended by another two years. On 14th July 1951, a fresh compromise was entered into between parties under which a general increase of fifteen per cent. in wages was allowed to all categories of workers except in the case of Dharies and Bhaniathis who were given a higher increase and these rates are at present prevalent in the Mica mines. In the written statements, the Unions had preseed for some increase in these wages and also urged for introduction of some scales of pay. Under the compromise, these claims are given up. The wages which are at present in existence are reasonable and do not need any revision at this stage. I also think that looking to the present condition of the

industry, this is not a proper time for introduction of scales of pay. I therefore direct that the rates of wages should continue the same as they are at present.

6. (3) *Dearness Allowance*.—According to the 1948 award, the different workmen were allowed different rates of dearness allowance according to their basic wages. The rates of dearness allowance have remained the same all along; but as the wages were increased in 1951, the dearness allowance has also increased proportionately. The cost of living at present does not justify any increase in the dearness allowance. As a matter of fact, one of the Unions (the Mica Labour Union) had not, even in its written statement, pressed for an increase in the dearness allowance at present. I therefore direct that the rates of dearness allowance should remain the same as before.

7. (4) *Leave with Pay*.—The workmen in this industry get certain leave according to the terms of the agreement between the parties dated 14th July 1951. The period of leave allowed thereunder to the daily rated workers is one day's leave with pay for every 20 days of work on certain conditions. The monthly rated staff are entitled to 20 days privilege leave, 10 days casual leave and seven days sick leave on certain conditions. The Union had asked for more leave for the workmen; but under the compromise, this claim is given up. I think that the period of leave allowed at present is sufficient and hence direct that the period of leave with pay will remain the same as under the agreement of 14th July 1951 (and on the same conditions).

8. (5) *Attendance Bonus* & (6) *Quarterly Bonus*.—These are the two points over which there has been much dispute between the parties. Under the award of 1948, the workmen were given two kinds of bonuses—one was attendance bonus which was to be paid monthly and another was quarterly bonus which was to be paid every quarter. In the case of daily rated workers, the monthly bonus was equal to 20 per cent. of the consolidated wages, provided the workman had worked for 20 days in the month; and the quarterly bonus was half a month's basic wages provided he had worked 45 days underground or 57 days on the surface in the quarter. The monthly rated workers were not entitled to any monthly bonus, but were entitled to a quarterly bonus, equal to half month's basic wages.

9. These rates have remained the same all along both for daily rated and monthly rated workers. But the employers stopped payment of bonus from 1st October 1953 to the daily rated workers. The contention of the employers is that the industry is going through a crisis at present and it is not possible for them to pay any bonus to the workers. The position of the industry was very good in the post war years and the employers urged that the position has now changed and hence they cannot now afford to pay any bonus. In this connection, they also urged that foreign countries have accumulated some reserves during the past years and at present there is not much demand for mica.

10. There appears to be some force in these contentions raised by the employers. At the same time, it is to be remembered that the prosperity of an industry depends not only on the employers but also on the work put in by the workmen. Working in Mica Mines adversely affects the physical health of the workers. It is but fair that the workmen should be given some bonus. It would ensure peace in the industry.

11. As I said above, the representatives of the employers and the representatives of the workmen have entered into a compromise. Under that compromise, the bonuses payable to the daily rated workers are reduced. The monthly bonus is to be 12½ per cent. of consolidated wages instead of 20 per cent. as it used to be so far. Similarly the quarterly bonus is to be equal to seven days basic wages instead of half a month's basic wages. The other conditions of attendance namely 20 days attendance for monthly bonus and attendance for 45 days underground or 57 days on the surface in the case of quarterly bonus remain the same. In my opinion, looking to the present condition of the industry, the above reduction in the rates of the bonuses is justified. I would therefore order that with effect from 1st April 1954, the daily rated workers will get bonus as under:—

Monthly bonus will be equal to 12½ per cent. of the consolidated wages, provided that the worker has put in at least 20 days' work in the month.

• The quarterly bonus will be seven days' basic wages, provided the workman concerned has worked for 45 days underground or 57 days on the surface during the quarter.

12. For the period from 1st October 1953 to 31st March 1954, the workmen will be paid monthly bonuses calculated at the above new rates, namely 12½ per cent. of the consolidated wages, provided the workman concerned has put in 20 days'

presence in the particular month. The workmen will however not be given any quarterly bonus for the above period from 1st October 1953 to 31st March 1954. The amount of bonus payable to the workmen for the arrears of monthly bonuses for the above six months should be paid to them within fifteen days of the award becoming enforceable.

13. So far as the monthly paid workers are concerned, the employers agree to continue payment of bonus as before. Actually, they say that payment of bonus has not been stopped, so far as these workers are concerned. I therefore direct that the monthly rated workers will continue to be paid bonus at the same rates as before and that they will be entitled to these bonuses even during the period between 1st October 1953 and 31st March 1954. If any of them has not been paid any bonus during this period, the same should be paid to him within fifteen days of the award becoming enforceable.

14. (7) *Retrenchment Relief*.—In view of the amendment of the Industrial Disputes Act by the Industrial Disputes (Amendment) Act, 1953, which provides for payment of compensation to workmen in case of retrenchment, this claim is not pressed. The workmen will get benefits of the new Act, if and when they are retrenched.

15. (8) *Medical facilities*.—This claim is not pressed. I am told that the Mica Mines Labour Welfare Organisation is making arrangements for providing medical facilities to the workers.

16. (9) *Rousing and grant of house rent*.—Under the previous award, the workmen are entitled to a payment of house rent at the rate of Rs. 4 per month on certain conditions. The Unions demanded that this should be raised to Rs. 6 per month or 10 per cent. of the wages. Under the compromise, however, they do not now press for any increase in the house rent. I think that this rate is reasonable and does not require revision at present. I direct that the workers will be entitled to house rent as before, that is, at Rs. 4 per month on the same conditions as laid down in the previous award. If house rent has not been paid to a workman who was entitled to it during the last six months, the arrears should be paid to him within a week of the award becoming enforceable.

17. (10) *Free Rations*.—Under the award of 1948, every workman was entitled to free rice at the rate of six chattaks per day of attendance or 0-3-0 in cash instead. By the agreement of 14th July 1951, the rate of 0-3-0 was increased to 0-4-0. Thereafter the workmen were entitled to get either six chattaks of rice or 0-4-0 in cash per day of attendance. The employers wanted that this concession should be done away with; under the compromise, they have agreed to continue this concession as before. As the rates of wages are being kept as before, it is but fair that this concession should not be discontinued. I therefore direct that the employers shall pay every workman either six chattaks of rice or 0-4-0 in cash per day of their attendance.

I pass my award accordingly.

The 2nd April 1954.

(Sd.) L. P. DAVE, Chairman,
Central Government's Industrial Tribunal,
Dhanbad.
[No. LR. 2(425).]

New Delhi, the 26th April, 1954

S.R.O. 1441.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Delhi, in the industrial dispute between the Bharat Fire and General Insurance Co., Ltd., New Delhi, and their workmen.

BEFORE SHRI RAM KANWAR, INDUSTRIAL TRIBUNAL, DELHI.

ADJUDICATION

In the matter of an Industrial dispute

BETWEEN

The employers in relation to the Bharat Fire & General Insurance Co., Ltd., New Delhi and their workmen.

APPEARANCES:

Shri Madan Mohan & Shri Y. Kumar.—For the workmen.

Shri Ram Kirti Saran & Shri Ram Kumar.—For the company.

AWARD

This award shall be read in continuation of my order dated 14th February 1954. The parties have now compromised the dispute on the following terms:

1. That Shri A. N. Bose will be reinstated by the Company as early as possible but not later than 1st April 1954 on the same salary and other allowance and facilities which he was drawing on the date of his discharge.
2. That Shri Bose would not claim increments for the period during which he remained out of service and which he would have been entitled to if he had been working in the Company. He shall, however, be entitled to future increments as and when given by the Company to the other members of the staff and on the same level.
3. That for the purposes of gratuity, the period between the date of discharge and the date of re-employment will be taken into account on the basis of continuity of service.
4. That Shri Bose has already withdrawn the Provident Fund Amount along-with the Company's contribution as on the date of his discharge on 30th May, 1952 so that his Provident Fund shall be restarted afresh, but the past service of Shri Bose will be taken into account in calculating his claim to be entitled to the Company's contribution.
5. That the period from 1st June 1952, the date of discharge to the date of re-instatement shall be deemed to be special leave without pay.
6. That the necessary security amount will be deposited by Shri Bose and will be allowed to be paid in six monthly instalments.
7. That no compensation, damages or any other monies will be claimed by Shri Bose on his re-instatement as above.
8. That regarding the application of leave rules, it would be considered as if there was no break in services though Shri Bose would not claim any leave or compensation for leave for the period during which he remained out of the employment of the company.
9. That all outstanding disputes regarding Shri A. N. Bose have been settled between the Company and its workmen and Shri A. N. Bose in terms of the above compromise.

In terms of the said compromise, I give my Award which is submitted to the Government of India for its publication in the official gazette.

Costs shall be borne by the parties.

The 26th March, 1954.

(Seal)

(Sd.) RAM KANWAR,
Industrial Tribunal, Delhi.
[No. LR. 90(154).]

APPENDIX

BEFORE SHRI RAM KANWAR, INDUSTRIAL TRIBUNAL, DELHI

In the matter of an Industrial dispute

BETWEEN

The employers in relation to the Bharat Fire & General Insurance Co. Ltd., and their workers.

ORDER

By their order No. LR. 90(154), dated 29th October, 1953, the Central Government referred to me for adjudication a dispute stating it to be an 'industrial dispute' between the employers in relation to Bharat Fire & General Assurance Ltd., New Delhi and their workmen in respect of matters specified in the schedule given below:

"whether the termination of the services of Shri A. N. Bose from the New Delhi office of the company was justified and, if not, what relief should be granted to him".

Services of Shri A. N. Bose were terminated on 30th May, 1952 while the Union which represents his case, through Insurance Employees Federation, was formed in July 1952 and registered in September, 1952. After registration the

Union was affiliated to the Federation named above. The following preliminary objections had been raised to this reference on behalf of the company.

- (a) There was no dispute at the time of the discharge of Shri A. N. Bose;
- (b) No Union had taken up his case; and
- (c) Dispute was only an individual dispute and not an industrial dispute as defined in section 2(k) of the Industrial Disputes Act and that consequently the Tribunal has no jurisdiction in the matter.

Great stress was laid by the learned counsel for the company on objection No. (c) and my attention, in this connection, was invited to a ruling of the Patna High Court reported as A.I.R. 1953 Patna, p/321, New India Assurance Co. Ltd. Vs. the Central Government Industrial Tribunal, in which it was held that an individual dispute is not an industrial dispute as defined in section 2(k) of the Industrial Disputes Act. First of all, the dispute came into existence when a demand relating to his dismissal was made by or on behalf of Shri A. N. Bose and it was denied by the company. The order of reference clearly indicates that the dispute on the basis of the material before it was considered by the Government as an industrial dispute between the workmen and not Shri A. N. Bose alone and the company. Again, the fact that notice of the reference was issued to the Insurance Employee's Federation clearly indicates that the Federation has espoused the cause of Shri A. N. Bose before the reference and had thus brought the dispute within the ambit of an industrial dispute. It was for the company to show that there was no sufficient material before the Government at the time of the reference to form the opinion indicated in the order of reference. But no such evidence was produced by it on that point. Again the case reported as 1953-I. LLJ. p. 757, Swadeshi Cotton Mills Co. Ltd., Kanpur Vs. their workmen (Full Bench Decision) is also a clear authority against the objection raised on behalf of the company.

For the reasons given above, I have no hesitation in disallowing the preliminary objections raised on behalf of the company.

Announced.

The 14th February, 1954.

(Sd.) RAM KANWAR,
Industrial Tribunal, Delhi.
[No. LR. 90 (154).]

New Delhi, the 26th April 1954

S.R.O. 1442.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following awards of the Industrial Tribunal, Delhi, in the matter of applications under section 33A of the said Act.

BEFORE SHRI RAM KANWAR, INDUSTRIAL TRIBUNAL, DELHI

ADJUDICATION

In the matter of an Industrial dispute

BETWEEN

The employers in relation to Bharat Fire & General Insurance Co. Ltd., New Delhi and their workmen.

APPLICATION UNDER SECTION 33-A OF THE INDUSTRIAL DISPUTES ACT, 1947.

APPEARANCES:

Shri Madan Mohan and Shri Y. Kumar—*For the workmen.*

Shri Ram Kirti Saran and Shri Ram Kumar—*For the Company.*

AWARD

This award shall be read in continuation of my order*, dated the 7th February, 1954.

It is frankly admitted by Shri Ram Kirti Saran, Establishment Incharge, on behalf of the Company that before the last 3 or 4 years, Saturdays were observed

**vide* Appendix to award.

as half working days and that for the last 2 or 3 years, ordinary Saturdays are full working days while the last Saturdays are full holidays. During the current year, the Company has also declared 'SALONO' as a holiday, though it is not declared as such under the Negotiable Instruments Act. For the current year, the net result is that the Company has declared 13 days as holidays though they were not so declared under the Negotiable Instruments Act and curtailed 7 Sikh and Mohammedan festival holidays, though declared as holidays under the Negotiable Instruments Act. Thus the workmen have got 5 more holidays than the holidays declared under the Negotiable Instruments Act. Moreover Rule No. 22 of the Company clearly shows that the management is competent even to curtail the holidays allowed under the Negotiable Instruments Act and also that holidays will be allowed only when the state of the work admits of the office being closed. It is also significant that last year also all Mohammedan holidays were curtailed, and the complaint alleged to have been made by the Union in that matter, resulted in nothing. In the previous years also some of the Mohammedan holidays were curtailed now and then without any objection by the workmen.

Under the above circumstances, the complaint made by the workmen is not at all justifiable, especially when there are no Mohammedan or Sikh employees in the office of the Company. The complaint has thus no force and consequently it is hereby rejected.

DELHI;

The 26th March, 1954.

(Seal)

(Sd.) RAM KANWAR,
Industrial Tribunal, Delhi.

APPENDIX

BEFORE SHRI RAM KANWAR, INDUSTRIAL TRIBUNAL, DELHI

ADJUDICATION

In the matter of an Industrial dispute.

BETWEEN

The employers in relation to the Bharat Fire and General Insurance Co. Ltd., and their workers.

COMPLAINT UNDER SECTION 33A OF THE INDUSTRIAL DISPUTES ACT.

ORDER

By their Order, dated 29th October, 1953, the Central Government referred to me for adjudication an industrial dispute between the employers in relation to the Bharat Fire and General Insurance Co. Ltd., New Delhi and their workmen in respect of the matters specified in the schedule given below:

"Whether the termination of the services of Shri A. N. Bose of the New Delhi office of the company was justified and, if not, what relief be granted to him".

Another dispute of a similar nature was referred to me by an order, dated the 17th November, 1953 and its terms of reference were,

"Whether the termination of the services of Shri H. P. Mehsubani from the New Delhi office of the company was justified and, if not whether he should be reinstated.

What relief, if any, should be allowed to him".

Clause 22 of the conditions of the service of the company reads thus:

"Only such holidays will be observed as are allowed under the Negotiable Instrument Act, unless directed otherwise. Holidays will be allowed only when the state of work admits of the office being closed".

During the pendency of the above dispute before the Conciliation Officer of Delhi the company made an order on the 2nd January, 1953, that as there are no Mohammedan workmen in the office of the company no Mohammedan holidays will be observed this year.

Again during adjudication proceedings of the dispute before me the management on 9th January, 1954, issued a list of holidays omitting therefrom Mohammedan and Sikh holidays, apparently on the ground that there were no Mohammedan and Sikh employees in their office. On 11th January, 1954, Shri Madan Mohan, Joint Secretary, Insurance Employees Federation, Delhi made this complaint for and on behalf of the workmen through Insurance Employees Federation, Delhi with the allegation that the above curtailment of Mohammedan and

Sikh holidays was an unauthorised alteration in the conditions of Service to the prejudice of the workmen contravincing the provisions of section 33 of the Industrial Disputes Act and requested the Tribunal for an order that the company should restore *status-qua* and also to pay double of usual total remuneration for the day to the workmen for each holiday so curtailed till the final orders on the complaint.

Section 33 amended recently reads:

Conditions of service, etc. to remain unchanged during the pendency of proceedings.—

During the pendency of any conciliation proceedings or proceedings before a Tribunal in respect of any industrial dispute, no employer shall—

- (a) alter, to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately before the commencement of such proceedings; or
- (b) discharge or punish, whether by dismissal or otherwise, any workman concerned in such dispute save with the express permission in writing of the conciliation officer, Board or Tribunal as the case may be.

Before the amendment para (b) provided, "Discharge, dismiss or otherwise punish any such workmen, except for misconduct not connected with the dispute".

Two preliminary objections have been raised to the complaint on behalf of the company:

- (a) The Joint Secretary, Insurance Employees Federation, who has signed the complaint cannot make a complaint;
- (b) The subject matter of adjudication proceedings pending before this Tribunal affect directly a particular person only and the workmen as such are not concerned therein.

On 24th January, 1954, Shri Madan Mohan put in Ex. P/1 a document purporting to have been signed on 9th January, 1954, by thirty-three workmen of the company other than Shri A. N. Bose and Shri H. P. Mehbubani authorising the Secretary, Bharat Fire Insurance Employees Union, to file a complaint under Section 33A in connection with the curtailment of holidays. The omission of any mention of any authority in the complaint itself raises a doubt as to its having been signed by the workmen on 9th January, 1954, but in view of the statement of Shri Madan Mohan that it was actually signed by the workmen on 9th January, 1954, and in the absence of any rebuttal on that point I cannot but hold that the complaint should be considered to have been duly filed on behalf of the signatories of Ex. p/1. The decision of Labour Appellate Tribunal reported as 1952-II LAC, page 23 is also an authority on this point against the company.

As regards objection 2, it is no doubt correct that the workmen on whose behalf the complaint has been filed are not directly interested, "in the reference pending before the Tribunal" and an award reported as Basic Industries Ltd., Vs. their workmen, 1952-II. LLJ. page 235, is an authority in support of the objections on behalf of the company but it was pointed out by the Labour Appellate Tribunal in their decision reported as 1952-I. LLJ. page 628, that the view taken in the above award was not correct, and that the expressions used in section 33A is 'workmen concerned in such a dispute' and not workmen directly interested in such a dispute. Moreover, the dispute in each of these two references is stated as a dispute between the company on one hand and its workmen and not a particular workman on the other.

For the above reasons, the two objections raised on behalf of the company are disallowed.

DELHI;
The 7th February, 1954.

(Seal)

(Sd.) RAM KANWAR,
Industrial Tribunal, Delhi.

BEFORE SHRI RAM KANWAR, INDUSTRIAL TRIBUNAL, DELHI

ADJUDICATION

In the matter of an Industrial dispute.

BETWEEN

The employers in relation to Bharat Fire & General Insurance Co. Ltd., New Delhi and their workmen.

APPLICATION UNDER SECTION 33-A OF THE INDUSTRIAL DISPUTES ACT, 1947.

APPEARANCES:

Shri Madan Mohan and Shri Y. Kumar—*For the workmen.*Shri Ram Kirti Saran and Shri Ram Kumar—*For the Company.*

AWARD

During the adjudication proceedings relating to certain industrial disputes between the employers and workmen of Bharat Fire and General Insurance Co. Ltd., New Delhi, pending in this Tribunal, an application was made on behalf of the workmen under section 33A of the Industrial Disputes Act, 1947, on 7th December, 1953, complaining that the Company used to supply to the peons employed in its office with uniforms on 15th November, every year but it failed to do so during the current year. It was, therefore, prayed that the Tribunal may adjudicate upon the above complaint and order the Company to make the supply of the uniforms to the peons in accordance with the old and established practice in the Company and also recommend prosecution of the Company to the appropriate Government.

The Company opposed the application. In view of the reply of the Company the application was not pressed on behalf of the workmen, with the result that it was rejected by my order, dated the 11th January, 1954.

DELHI;

The 26th March, 1954.

(Sd.) RAM KANWAR,
Industrial Tribunal, Delhi.

(Seal)

BEFORE SHRI RAM KANWAR, INDUSTRIAL TRIBUNAL, DELHI

ADJUDICATION

In the matter of an Industrial dispute.

BETWEEN

The employers in relation to Bharat Fire & General Insurance Co. Ltd., New Delhi and their workmen.

APPLICATION UNDER SECTION 33-A OF THE INDUSTRIAL DISPUTES ACT, 1947.

APPEARANCES:

Shri Madan Mohan and Shri Y. Kumar—*For the workmen.*Shri Ram Kirti Saran and Shri Ram Kumar—*For the Company.*

AWARD

During the adjudication proceedings relating to certain industrial disputes in this Tribunal between the employers and the workmen of the Bharat Fire and General Insurance Co., Ltd., New Delhi, an application was made on 10th February, 1954, under section 33A of the Industrial Disputes Act, complaining that the Company had withheld certain increments of the employees which were due to them and which had been allowed regularly during the previous years.

It appears that the Company has allowed some increments to their employees and accordingly the workmen do not now press their complaint. The statement of the Secretary of the workers' Union, in this connection, is as below.

"Certain increments have been allowed to the employees by the Company. We for that reason do not now press our present application which may be treated as withdrawn".

The application is, therefore, dismissed.

DELHI;

The 26th March, 1954.

(Sd.) RAM KANWAR,
Industrial Tribunal, Delhi
[No. LR.90(154)/I.]

(Seal)

New Delhi, the 27th April, 1954

S.R.O. 1443.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the matter of an application under section 33A of the said Act from Shri Ram Bahadur Singh, a workman of the Kalyani Selected Kargali Colliery.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

APPLICATION NO. 114 OF 1953

(arising out of Reference No. 6 of 1952).

In the matter of an application U/S. 33A of Industrial Disputes Act 1947.

PRESENT:

Shri L. P. Dave, B.A., LL.B., *Chairman*.

PARTIES:

Shri Ram Bahadur Singh, Store Keeper, Kalyani Selected Kargali Colliery, P.O. Bermo, District Hazaribagh—*Complainant*.

Vs.

The Management of Kalyani Selected Kargali Colliery, P.O. Bermo, District Hazaribagh—*Opposite party*.

APPEARANCES:

Shri Balram Roy, General Secretary, Chotanagpur Coalfield Workers' Union, H.O. Kargali, P.O. Bermo, District Hazaribagh—*For the Complainant*.

Shri S. S. Mukherjea, B.Sc., B.L., Pleader, Dhanbad—*For the Opposite party*.

AWARD

This is a complaint under Section 33A of Industrial Disputes Act.

2. The complainant alleged that he had been illegally and wrongfully dismissed by the opposite party during the pendency of Reference No. 6 of 1952, without the express permission from this Tribunal. He therefore filed the present complaint requesting that proper orders may be passed thereon.

3. By its written statement Exhibit 3, the opposite party contended that the complainant was allowed to proceed on leave from 26th January to 5th February 1953 but he failed to present himself for work on the due date and continued to remain absent. When he was absent sufficiently for a long time without any intimation to the management or without obtaining permission from them, his services were discontinued under the standing orders. It was therefore urged that the management had not acted illegally and the complaint deserved to be dismissed.

4. The complainant was admittedly working as a Munshi in the Kalyani Selected Kargali Colliery belonging to the opposite party. He has filed this complaint alleging that he was wrongfully dismissed during the pendency of Reference No. 6 of 1952. This reference which related to paid holidays was between 1078 collieries mentioned therein and their workmen. Kalyani Selected Kargali colliery was one of them. It was not disputed before me that the complainant's services were terminated during the pendency of the above reference. It was also not disputed that no permission was obtained from the Tribunal as required by Section 33 of the Industrial Disputes Act.

5. It was however contended that the action of the management was proper and not illegal. It was alleged that the complainant had taken leave from the management from 26th January 1953 to 5th February 1953 and that he failed to present himself for work on the expiry of his leave. Under para 11 of the standing orders, if an employee remained absent beyond the period of his leave originally granted, he would lose his lien on his appointment unless he returned within eight days of the expiry of the leave and gave an explanation to the satisfaction of the Manager of his inability to return before the expiry of leave. This para also lays down that in case he loses his lien of his appointment, he would be entitled to be kept on the badli list. Mr. Mukherjea on behalf of the management argued that as the complainant had over-stayed the period of his leave and as he did not offer any explanation for his absence, he had lost his lien on his

appointment and all that he was entitled to was that his name should be kept on the badli list.

6. I am not satisfied that the complainant remained absent on the expiry of his leave nor I am satisfied that it was because of this that he lost his lien on his appointment. In the written statement, the management have urged that the complainant failed to present himself for work on the expiry of leave and continued to absent from his duties and that he absented himself for sufficiently long time without intimation to the management and hence his services were discontinued under the standing orders. Mr. Singh, the Agent of the Colliery, gave his evidence at Exhibit 15. He stated that the complainant had taken leave from 26th January 1953 to 5th February 1953 but did not rejoin or report for duty on 6th February 1953. He said that the complainant came after some days but he could not say even approximately as to how many days after 6th February 1953 the complainant came to rejoin his duties. He then said that as he had not returned in time, the management refused to allow him to join his duties. He admitted that there was no documentary evidence to show as to what period of leave had been granted to the complainant, or as to when the complainant came back to join his duties. The management maintains attendance registers but the attendance register of the relevant period has not been produced in this case. It would have shown as to for what period leave had been granted to the complainant and it would also have shown whether the complainant returned to duty on the expiry of the leave or not.

7. The complainant's allegation is that he returned from leave in time but he was not allowed to join and ultimately a notice of termination of his services was sent to him on 18th February, 1953. This notice has been produced at Exhibit 6. It mentions that the soft coke quota of the colliery had been cancelled and as the complainant was working in the soft coke manufacturing department, his services were laid off. It further mentions that if the complainant wanted to serve somewhere else, the management would be prepared to give him one month's salary. It is significant to note that this letter does not mention anything about the complainant having overstayed his leave or his having lost his lien because of the same.

8. It may be noted that no intimation of any sort was given to the complainant for his alleged absence beyond the period of leave granted to him nor was he informed that because of this, he had lost his lien on his appointment. Further his name was not kept on the badli list. In the letter of 18th February 1953, the complainant was given a notice of lay off on the ground that they had no soft coke manufacturing work. Nothing was mentioned in this letter about his absence beyond the period of leave or about his having lost his lien. If the complainant had really over-stayed his leave and if the management had decided that the complainant had therefore lost his lien on his appointment, they would have informed him accordingly. In any case, they would not have written a letter like Exhibit 6, about laying off his services nor would they have offered him one month's salary; because if the complainant had already lost his lien due to his own fault, he would not have been entitled to any salary or wages from the management. On the whole, I am not satisfied that the complainant had over-stayed his leave as alleged by the management.

9. I may point out that the case made out by the management in the written statement is materially different from the notice Exhibit 6 given by them. This also would go to show that the allegation of the management that the complainant had over-stayed his leave is not correct.

10. I may mention at this stage that the ground given in the notice Exhibit 6 for laying off the complainant namely the cancellation of the soft coke quota is now no longer in existence. It was admitted before me that soft coke quota was again granted and the management have again started the work of manufacturing soft coke. That being so, that ground is now no longer in existence.

11. The result is that in my opinion, the complainant is entitled to be reinstated. The question then is about his past wages. He was discharged in February on the ground that the management had no work for him because their soft coke quota was cancelled. He did not immediately come before this Tribunal but filed the complaint after four months. I would not allow him any wages for this period. If the management had stated the whole truth and alleged in the written statement that the real ground for terminating the complainant's services was the cancellation of their soft coke quota and the closure of their soft coke department, the matter would have been different; because in such a case, the complainant could have claimed only compensation. The management however

chose to make out a case that the complainant had remained absent without leave etc. which is not true. It would show that the action of the management was not bona fide and they must pay him the wages for the period of his idleness from the date of his filing the present complaint.

In the result, it is ordered that the complainant should be reinstated in his old job. He should also be paid his back wages, dearness allowance, and other benefits as if he was on duty from 17th June, 1953. He will not be entitled to back wages between the period of his discharge to 16th June, 1953 but this period will be treated as on leave without pay and will not constitute a break in his service.

I pass my award accordingly.

The 9th April 1954.

(Sd.) L. P. DAVE, Chairman.
Central Government's Industrial
Tribunal Dhanbad.
[No. LR.2(365).]

P. S. EASWARAN, Under Secy.

ORDER

New Delhi, the 23rd April, 1954

S.R.O. 1444.—Whereas by an order of the Government of India in the Ministry of Labour S.R.O. No. 1362, dated the 19th April, 1954, the Industrial dispute between the Lodna Colliery Company (1920) Limited, Jharia and their workmen in respect of certain matters has been referred to an Industrial Tribunal for adjudication;

Now, therefore, in exercise of the powers conferred by sub-section (3) of Section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby prohibits the continuance of the lockout in existence in the Lodna group of Collieries.

[No. IR.2(16)/54.]

P. S. EASWARAN, Under Secy.

New Delhi, the 24th April, 1954

S.R.O. 1445.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (XIX of 1952), the Central Government hereby appoints Shri K. S. Shaik, ex-Appellate Authority, Nasik Municipality and Shri Y. G. Vaidya, Mamlatdar of Bansda to be Provident Fund Inspectors for the whole of the State of Bombay, for the purposes of the said Act and of any Scheme made thereunder in relation to a factory engaged in a controlled industry or in an industry connected with a mine or an oilfield.

[No. PF.516(163).]

TEJA SINGH SAHNI, Under Secy.

New Delhi, the 26th April 1954

S.R.O. 1446.—In exercise of the powers conferred by section 24, read with sub-section (1) of section 15 of the Payment of Wages Act, 1936 (IV of 1936), the Central Government hereby appoints every officer appointed by the State Government of Andhra under the said sub-section (1) of section 15 to be the authority to hear and decide within any specified area for which he has been so appointed, claims arising out of deductions from the wages, or delay in payment of the wages, of persons employed or paid, within such area, to be the authority to hear and decide such claims in respect of persons employed in mines other than coal mines within the respective area for which every such officer has been appointed by the Government of Andhra.

[No. Fac. 52(15).]

P. M. SUNDARAM, Dy. Secy.

New Delhi, the 27th April, 1954

S.R.O. 1447.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bombay Port Trust Bombay, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7 and clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri M. R. Meher, I.C.S., (Retd.) shall be the sole member and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

- (1) Whether the changes introduced by the Port Trust in regard to the new shifts, working hours, timings of shifts, weekly off days, working hours on Saturdays and rest intervals, are fair and reasonable; If not, in what respects modifications are necessary, and what relief should be granted to the workmen, and from what date;
- (2) whether the workmen should be paid compensation for the loss of overtime payments which they have been receiving in the past;
- (3) whether the workmen, like Crane-drivers and Greasers, who have been demoted from higher posts from 1st December, 1953, should be restored to their original posts; and
- (4) whether the workmen, who were entitled to promotion to higher posts but who were not promoted by reason of their refusal to work according to the changed system should be promoted to such posts.

[No. LR.3(3)/54.]

N. C. KUPPUSWAMI, Deputy Secy.